IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

OP.No. 12618 of 1999(B)

PETITIONER:

K.BALACHANDRAN NAIR,
SUPERINTENDENT (RETIRED),
KSRTC, PULIYAKOT HOUSE,
KALLURUTTY P.O.,
THIRUVAMPADY (VIA.),
KOZHIKODE : 673 603.

BY ADV. SRI.THOMAS ANTONY
SRI.K.M.JAMALUDHEEN

RESPONDENTS:

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1. **THE MANAGING DIRECTOR,**
   KERALA STATE ROAD TRANSPORT
   CORPORATION, THIRUVANANTHAPURAM.

2. **THE EXECUTIVE DIRECTOR,**
   VIGILANCE & STATISTICS,
   KERALA STATE ROAD TRANSPORT CORPORATION,
   TRANSPORT BHAVAN, THIRUVANANTHAPURAM.

BY ADV. SRI.JOHNSON P.JOHN, SC, KSRTC

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 28/09/2007, HE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:-

Ext.P1: Copy of the charge sheet and the statement of allegations dtd.1.10.1994.

Ext.P2: Copy of the statement filed by the petitioner dtd.23/1/1995.

Ext.P3: Copy of the order of the 2nd respondent dtd.8/7/1996.

Ext.P4: Copy of the submission given to the 2nd respondent by the petitioner dtd.2/8/1996.

Ext.P5: Copy of the representation of the petitioner to the 1st respondent dtd.10.6.1997.

Ext.P6: Copy of the lawyer notice dtd.28.1.1999.

RESPONDENTS' EXHIBITS:- Nil.

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No. 12618 of 1999-B.

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Dated this the 28th day of September, 2007.

J U D G M E N T

The main prayer in the writ petition is for a direction to the respondents to furnish a copy of the enquiry report which is mentioned in Ext.P3 for enabling the petitioner to file an appeal. A reading of Ext.P3 shows that there was an allegation against the petitioner of unauthorised absence from 11.9.1993. Pursuant to the same he was charge sheeted under Rule 15 of the KCS & CCA Rules which was followed by an enquiry.

2. It is well settled that the delinquent is entitled to get a report of the equiry officer who conducted the disciplinary enquiry. Therefore the prayer of the petitioner to furnish him a copy of the enquiry report is well founded.

3. Hence, there will be a direction to the respondents to furnish the petitioner a copy of the report of enquiry by the District Transport Officer, Kozhikode if the same has not already been furnished to him, within a period of six weeks from the date of production of a copy of this judgment.

The Original Petition is disposed of as above.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-